IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.109 OF 2005

The Juhu Vile Parle Development
Co-op. Housing Association Ltd. ...Petitioner.

Vs.

Shri Subhash Patil,
Deputy Registrar of Co-operative
Societies, K/West Ward & Ors. ...Respondents.

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Mr.N.H.Seervai with Mr.Mahanov Thakkar for the Petitioner.

Mr.A.S. Doctor for Respondent No.3.

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CORAM : DR.D.Y.CHANDRACHUD, J.

April 28, 2005.

P.C. :

1. Counsel appearing on behalf of the Petitioner and the Third Respondent have tendered Consent Terms which have been arrived at between the contesting parties. The Consent Terms have been signed by the Advocate for the Petitioner, the

Advocate for the Third Respondent, an authorised signatory of the Petitioner and the Third Respondent. The Consent Terms are taken on record and marked "X". Since the dispute between the Petitioner and the Third Respondent has been settled, the impugned orders dated 31st December 2004 and 4th January 2005 are quashed and set aside with the consent of the contesting parties.

2. On the request of the Petitioner, it is, however, clarified that the aforesaid order is passed in the peculiar facts and circumstances of the present case and the Petitioner has agreed to the Consent Terms with a view to alleviate the genuine financial difficulties which have been faced by the Third Respondent.

3. The Petition is accordingly disposed of in terms of the Consent Terms.

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